IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 10171 of 2005

Between:

1 Murukonda Gopala Rao S/o. Venkatappaiah
R/o.Mangalagiri, Guntur District
2 Krapa Koteswara Rao S/o. Venkata Krishnaiah
R/o.Navuluru Village, Guntur District.
3 Krapa Yogeswara Rao S/o. Koteswara Rao
R/o.Navuluru Village Guntur District.
4 Gogineni Siva Sankara Rao S/o.Seetharamaiah
R/o.Navuluru Village Guntur District.
5 Murukonda Sarojini Devi W/o. Sivarama Krishna
R/o. Navuluru Village Guntur District

6 Rudru Venkateswarlu, R/o. Navuluru Village, Guntur District
7 Rudru Bhaskara Rao S/o.Sree Ramulu
R/o.Navuluru Village Guntur District.
8 Venigandla Ouramma W/o. Late Sreemannarayana
R/o.Navuluru Village Guntur District.
9 Dodda Govinda Reddy S/o. Nasi Reddy
R/o.Navuluru Village Guntur district.

10 Kasu Laxma Reddy S/o. Koti Reddy
R/o. Mangalagiri Guntur district.
12 Kodali Lokesh Babu s/o. Venkateswara Rao
R/o.Mangalagiri Guntur District
13 KVN Malleswara Rao S/o. Yelamandaiah
R/o.Mangalagiri, Guntur District

..... PETITIONERS

AND

1. The Land Acquisiton Officer Vijayawada-Guntur-Tenali urban Development, Governorpet, Vijayawada.

2. The Vice Chairman, Vijayawada-Guntur-Tenali urban Development Authority, Governorpet, Vijayawada.

3. The District Collector, Guntur District, Guntur.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ, order or direction more particularly in one in the nature of writ of Mandamus declaring the action of the respondents in not settling the compensation for the lands acquired under the notification in Award.No.2/89, of Navuluru Village, for the construction of Amaravathi Town Ship of Mangalagiri as arbitrary,illegal capricious and against doctrine of legitimate expentancy and consequently direct the respondent No.1 to dispose of the representation of the petitioners dt.31-3-2005 as expeditiously as possible preferably within 4 weeks and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.RAVI SHANKAR JANDHYALA

Counsel for the Respondent Nos.1 & 2: GP FOR LAND ACQUISITION

Counsel for respondent No.3: Sri P.M. Gopal Rao/T.S.VENKATARAMANA

The Court at the admission stage made the following :

O R D E R:

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This writ petition is filed by the petitioners who are small land owners, declaring the action of the respondent authorities in not settling the compensation for the lands acquired by them under the notification issued in Award No.2/89 of Navuluru Village, for the construction of Amaravathi Township of Mangalagiri as arbitrary, illegal, capricious and against the doctrine of legitimate expectancy and consequently direct respondent No.1 to dispose of the representation of the petitioners, dated 31.03.2005 as expeditiously as possible.

It is the case of the petitioners that after passing of an award by the Land Acquisition Officer, dated 21.03.1988, in pursuance of G.O.Ms.No.25, dated 21.01.1987, the Committee consisting of District Collector, passed a resolution fixing the value for the lands of the petitioners. In spite of the resolution passed by the Committee, 1st respondent-Land Acquisition Officer passed three awards in respect of the lands in

award Nos. 1 of 1989, 2 of 1989 and 3 of 1989 and fixed some amounts, but no amounts were paid to them. While the matter stood thus, the Committee passed an amended resolution on 31.08.1989, in pursuance of which, the Special Deputy Collector, Land Acquisition V.G.T.U.D.A., Vijayawada issued a notice, dated 09.10.1989 calling upon the petitioners to produce the documents of title before 31.10.1989. In pursuance of the said notice, the petitioners approached the authorities and the said authorities executed some documents agreeing to pay an amount of Rs.30,000/- per acre to the petitioners together with other benefits. On 31.10.1989, the then Special Collector issued cheques to the petitioners and the same were received by the petitioners subject to certain objections. It is also the case of the petitioners that though they made several representations along with a calculation memo, no action was taken by the respondent authorities for settling the amounts as per the benefits conferred under the Land Acquisition Act.

As the matter relates to the fixation of compensation in terms of the agreements entered into between the parties, I deem it appropriate to direct the respondents to consider the representations of the petitioners and pass appropriate orders as per the terms and conditions of the resolution passed by the Committee constituted under G.O.Ms.No.25 MA, dated 21.01.1987, after giving an opportunity of hearing to the parties, within a period of eight weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

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E.DHARMA RAO.J.,

15.06.2005

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To

1. The Land Acquisition Officer, Vijayawada-Guntutr-Tenali Urban Development, Governorpet, Vijayawada.

2. The Vice Chairman, Vijayawada-Guntur-Tenali Urban Development Authority, Governorpet, Vijayawada.

3. The District Collector, Guntur District, Guntur.

4. 2 C.Cs to the G.P. for Land Acquisition

5) 2 CD copies.